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18 L'ORÉAL USA, INC. and
19 L'ORÉAL S.A.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BARE ESCENTUALS BEAUTY, INC., a
Delaware corporation,

Plaintiff,

vs.

L'ORÉAL USA, INC., a Delaware corporation,
and L'ORÉAL S.A., a French Société Anonyme

Defendants.

Case No. C-07-1669 MMC

**NOTICE OF STIPULATED
CONTINUANCE OF HEARING FOR
MOTION TO DISMISS FOR LACK OF
PERSONAL JURISDICTION AND JOINT
STIPULATION RE JURISDICTIONAL
DISCOVERY; [PROPOSED] ORDER**

Pursuant to Local Rule 7-7(a) and Federal Rule of Civil Procedure 29, the parties jointly agree and stipulate to the following schedule for jurisdictional discovery to be taken by Plaintiff Bare Escentuals Beauty, Inc. ("Bare Escentuals") concerning L'Oréal S.A.'s pending Motion to

1 Dismiss for Lack of Personal Jurisdiction ("Motion to Dismiss"), and to continue the hearing date for
2 the pending motion as set forth below.

3 1. No later than October 15, 2007, Plaintiff shall serve up to ten interrogatories and 25
4 document requests each to L'Oréal S.A. and L'Oréal USA, Inc., limited to the jurisdictional issues
5 relevant to L'Oréal S.A.'s Motion to Dismiss. L'Oréal S.A. and L'Oréal USA, Inc. will respond to
6 the interrogatories and document requests no later than November 19, 2007.

7 2. If Plaintiff serves document requests by Monday, October 15, 2007, and those
8 requests are limited to the issues relevant to L'Oréal S.A.'s Motion to Dismiss, Defendants, without
9 waiving any arguments, rights, privileges, or objections (or the right to stand on their
10 objections), will use diligent efforts to complete production of responsive, non-privileged documents
11 for those limited requests by November 30, 2007.

12 3. The parties agree and stipulate that Plaintiff shall take up to two depositions each of
13 Defendants L'Oréal S.A. and L'Oréal USA, Inc. concerning only jurisdictional issues relevant to
14 L'Oréal S.A.'s Motion to Dismiss. All four depositions shall be limited to four (4) hours per
15 deponent. All four depositions shall be completed no later than January 15, 2008.

16 4. Pursuant to Local Rule 7-7(a), L'Oréal S.A. hereby continues the hearing date for its
17 Motion to Dismiss to February 29, 2008, at 9:00 a.m. in Courtroom 7 of the above-entitled court in
18 order to allow time for this jurisdictional discovery. Bare Escentuals's opposition to the Motion to
19 Dismiss shall be filed by February 1, 2008 and L'Oréal S.A.'s reply shall be filed by February 15,
20 2008.

21 Respectfully submitted,

22 DATED: October 11, 2007

PAUL, HASTINGS, JANOFSKY & WALKER LLP

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Attorneys for Defendants
L'ORÉAL USA, INC. and L'ORÉAL S.A.

DATED: October 11, 2007

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Attorneys for Plaintiff
BARE ESSENTIALS BEAUTY, INC.

I attest that concurrence in the filing of this document has been obtained from Jennifer A. Golinveaux.

By: /s/ Sean D. Unger
Sean D. Unger
Attorneys for Defendant
L'ORÉAL S.A.

SF:184601.3

1 PURSUANT TO STIPULATION, IT IS ORDERED that Plaintiff shall engage in jurisdictional
2 discovery as follows:

- 3 • By no later than October 15, 2007, Plaintiff may serve up to ten interrogatories and 25
4 document requests to each of the two Defendants concerning the jurisdictional issues
5 raised in L'Oréal S.A.'s Motion to Dismiss. L'Oréal S.A. and L'Oréal USA, Inc. will
6 respond to the interrogatories and document requests by no later than November 19,
7 2007. Plaintiff shall take no more than two depositions each of Defendants L'Oréal USA
8 and L'Oréal S.A., to be completed by January 15, 2008. Each deposition shall be limited
9 to the jurisdictional issues relevant to L'Oréal S.A.'s Motion to Dismiss and shall be
10 limited to four (4) hours per deponent.
- 11 • The hearing date for L'Oréal S.A.'s Motion to Dismiss for Lack of Personal Jurisdiction
12 is continued to February 29, 2008. Plaintiff's opposition to the Motion to Dismiss shall
13 be due by February 1, 2008 and L'Oréal S.A.'s reply shall be due by February 15, 2008.

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16 Dated: October 12, 2007

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18 THE HONORABLE MAXINE M. CHESNEY

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